

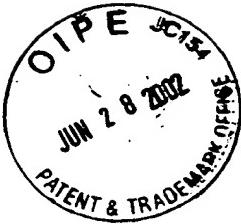
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Erich D. Hemm 47,286  
Name of Attorney or Agent Registration No.

*E.D.-C*  
Signature of Attorney or Agent

1623  
8  
H23

P&G Case 6586R



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
Michael Kenneth Cerreta, et al. : Confirmation No. 9009  
Serial No. 08/914,743 : Group Art Unit: 1623  
Filed: August 19, 1997 : Examiner: White, Everett  
  
For A FLOWABLE NONDIGESTIBLE OIL AND PROCESS FOR MAKING

SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1.  37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2.  37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

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3.  37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1<sup>st</sup> O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

**THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.**

(a)  The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b)  The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c)  The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4.  37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5.  Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6.  37 C.F.R. §1.97(c) with fee payment - (use after 1<sup>st</sup> Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte*

*Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

(1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. \_\_\_\_, U.S. Patent Application Serial No. \_\_\_, filed \_\_\_. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

(2) Copies of the cited documents are enclosed.

OR

(3) Copies of all said documents, except document No.'s \_\_\_\_\_, were submitted and considered in parent application U.S. Patent Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s \_\_\_\_\_ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s \_\_\_\_\_ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

(4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

(5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.

Additional information is attached.

Respectfully submitted,

By

  
Erich D. Hemm  
Attorney for Applicants  
Registration No. 47,286  
(513) 634-8960

Date: June 25, 2002

Customer No. 27752

### COPENDING APPLICATIONS

Entire copies of all co-pending applications (or the portion of the application and claims that caused it to be cited) must be sent with the IDS (see 37 CFR 1.98(a)(2)(iii)

<u>Atty. Docket No.</u>	<u>Serial Number</u>	<u>Inventor(s)</u>	<u>Filing Date</u>
6650M	09/424,185	Volker	November 19, 1999
7163	09/424,186	Volker, et al.	February 11, 2000

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT (\$ ) 180.00

## Complete if Known

Application Number	08/914,743
Confirmation Number	9009
Filing Date	August 19, 1997
First Named Inventor	Michael Kenneth Cerreta
Examiner Name	White, Everett
Group/Art Unit	1623
Attorney Docket No.	6586R

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## METHOD OF PAYMENT (check one)

1. [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 16-2480

Deposit Account Name The Procter &amp; Gamble Company

- [X] Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

## FEE CALCULATION

## 1. BASIC FILING FEE – Large Entity

Code (\$)	Fee Description	Fee Paid
101 740	Utility filing fee	<input type="checkbox"/>
106 330	Design filing fee	<input type="checkbox"/>
108 740	Reissue filing fee	<input type="checkbox"/>
114 160	Provisional filing fee	<input type="checkbox"/>

SUBTOTAL (1) (\$ ) 

## 2. EXTRA CLAIM FEES – Large Entity

	Extra Claims	Fee from Below	Fee Paid
Total Claims	<input type="checkbox"/> - 20** = <input type="checkbox"/> x <input type="checkbox"/> = <input type="checkbox"/>		
Independent Claims	<input type="checkbox"/> - 3** = <input type="checkbox"/> x <input type="checkbox"/> = <input type="checkbox"/>		
Multiple Dependent	<input type="checkbox"/> = <input type="checkbox"/>		

\*\* or number previously paid, if greater; For Reissues, see below

## Code (\$ ) Fee Description

103 18	Claims in excess of 20
102 84	Independent claims in excess of 3
104 280	Multiple dependent claim, if not paid
109 84	**Reissue independent claims over original patent
110 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$ ) 

## 3. ADDITIONAL FEES

Code (\$)	Fee Description	Fee Paid
105 130	Surcharge-late filing fee or oath	<input type="checkbox"/>
127 50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
139 130	Non-English specification	<input type="checkbox"/>
147 2,520	For filing a request for ex parte reexamination	<input type="checkbox"/>
112 920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
113 1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
115 110	Extension for reply within 1 <sup>st</sup> month	<input type="checkbox"/>
116 400	Extension for reply within 2 <sup>nd</sup> month	<input type="checkbox"/>
117 920	Extension for reply within 3 <sup>rd</sup> month	<input type="checkbox"/>
118 1,440	Extension for reply within 4 <sup>th</sup> month	<input type="checkbox"/>
128 1,960	Extension for reply within 5 <sup>th</sup> month	<input type="checkbox"/>
119 320	Notice of Appeal	<input type="checkbox"/>
120 320	Filing a brief in support of an appeal	<input type="checkbox"/>
121 280	Request for oral hearing	<input type="checkbox"/>
138 1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
140 110	Petition to revive - unavoidable	<input type="checkbox"/>
141 1,280	Petition to revive - unintentional	<input type="checkbox"/>
142 1,280	Utility issue fee (or reissue)	<input type="checkbox"/>
143 460	Design issue fee	<input type="checkbox"/>
122 130	Petitions to the Commissioner	<input type="checkbox"/>
123 50	Petitions related to provisional applications	<input type="checkbox"/>
126 180	Submission of Information Disclosure Statement	<input checked="" type="checkbox"/>
146 740	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
149 740	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
179 740	Request for Continued Examination (RCE)	<input type="checkbox"/>
169 900	Request for expedited examination of a design application	<input type="checkbox"/>
091 1280	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>
Other fee (specify) _____		<input type="checkbox"/>
Other fee (specify) _____		<input type="checkbox"/>

\* Reduced by Basic Filing Fee Paid SUBTOTAL(3) (\$ ) [180]

## SUBMITTED BY

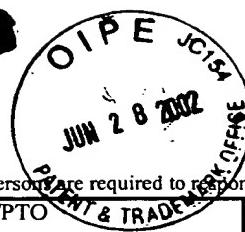
Name (Print/Type)	Erich D. Hemm	Registration No. (Attorney/Agent)	47,286	Telephone	(513) 634-8960
Signature				Date	June 25, 2002

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Please type a plus sign (+) inside this box → [+]

PTO/SB08A (08-00)



Approved for use through 10/31/2002 OMB 0651-0031

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Substitute for form 1449A/PTO

COMPLETE IF KNOWN

Application Number	08/914,743
Confirmation Number	9009
Filing Date	August 19, 1997
First Named Inventor	Michael Kenneth Cerreta
Group Art Unit	1623
Examiner Name	E. White
Attorney Docket Number	6586R

SHEET 1 of 2

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

### U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	U.S. PATENT DOCUMENT Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	2,482,761			Goebel	Sep. 27, 1949	
	2,731,481			Harrison, et al.	Jan. 17, 1956	
	2,793,219			Barrett, et al.	May 21, 1957	
	2,831,854			Tucker, et al.	Apr. 22, 1958	
	2,962,419			Westfield	Nov. 29, 1960	
	3,353,967			Lutton	Nov. 21, 1967	
	3,579,548			Whyte	May 18, 1971	
	3,600,186			Mattson, et al.	Aug. 17, 1971	
	3,932,532			Hunter, et al.	Jan. 13, 1976	
	3,963,699			Rizzi, et al.	Jun. 15, 1976	
	4,005,195			Jandacek	Jan. 25, 1977	
	4,034,083			Mattson	Jul. 5, 1977	
	4,368,213			Höllenbach, et al.	Jan. 11, 1983	
	4,455,333			Hong, et al.	Jun. 19, 1984	
	4,461,782			Robbin, et al.	Jul. 24, 1984	
	4,508,746			Hamm	Apr. 2, 1985	
	4,517,360			Volpenhein	May 14, 1985	
	4,518,772			Volpenhein	May 21, 1985	
	4,582,715			Volpenhein	Apr. 15, 1986	
	4,582,927			Fulcher	Apr. 15, 1986	
	4,797,300			Jandacek, et al.	Jan. 10, 1989	
	4,840,815			Meyer, et al.	Jun. 20, 1989	
	4,861,613			White, et al.	Aug. 29, 1989	
	4,888,195			Huhp, et al.	Dec. 19, 1989	
	4,983,329			Cooper	Jan. 8, 1991	
	5,175,323			Cooper	Dec. 29, 1992	
	5,211,981			Purves, et al.	May 18, 1993	
	5,273,772			Cooper	Dec. 28, 1993	
	5,288,884			Cooper	Feb. 22, 1994	
	5,298,637			Cooper	Mar. 29, 1994	
	5,304,665			Cooper, et al.	Apr. 19, 1994	
	5,362,894			Handwerker, et al.	Nov. 8, 1994	
	5,374,446			Ferenz, et al.	Dec. 20, 1994	
	5,387,429			Cooper	Feb. 7, 1995	
	5,399,728			Cooper	Mar. 21, 1995	
	5,399,729			Cooper, et al.	Mar. 21, 1995	
	5,427,815			Ferenz	Jun. 27, 1995	
	5,466,843			Cooper	Nov. 14, 1995	
	5,512,313			Cooper, et al.	Apr. 30, 1996	
	5,516,544			Sekula, et al.	May 14, 1996	
	5,589,217			Mazurek	Dec. 31, 1996	
	5,597,605			Mazurek	Jan. 28, 1997	
	5,603,978			White, et al.	Feb. 18, 1997	
	5,641,534			White, et al.	Jun. 24, 1997	

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	FOREIGN PATENT DOCUMENT Office <sup>2</sup> & Number <sup>3</sup> TRADEMARK OFFICE <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		EP 0 322 027		Seiden	Jun. 28, 1989		
		EP 0 325 010		White, et al.	Jul. 26, 1989		
		EP 0 375 027		Letton, et al.	Jun. 27, 1990		
		EP 0 571 219		Masten	Nov. 24, 1993		
		EP 0 667 105		Ziegert, et al.	Aug. 16, 1995		
		WO 93/00823		Muller	Jan. 21, 1993		
		WO 94/09638		Howie	May 11, 1994		
		WO 94/09641		Elsen, et al.	May 11, 1994		
		WO 97/22260		Sekula, et al.	Jun. 26, 1997		
		WO 98/52428		Volker, et al.	Nov. 26, 1998		
		WO 98/52429		Volker	Nov. 26, 1998		

### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
		J. Amer. Oil Chem. Soc., Vol. 55 (1978), pp. 328-331.	
		HOFFMAN, ROBERT – The Modulation Contrast Microscope: Principles and Performances, Journal of Microscopy, Vol. 110, Pt 3, August 1977, pp. 205-222.	

### EXAMINER DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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